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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

STEPHEN LEE CHOATE,  
  
Plaintiff,  
  
v.  
  
CHRIS WEIDICK, et al.,  
  
Defendants.

CASE NO.: 2:18-cv-01958-JAD-DJA

**CHRIS WEIDICK'S MOTION FOR  
EXTENSION OF TIME TO FILE  
RESPONSE TO STEPHEN CHOATE'S  
MOTION [ECF No. 88] FOR LEAVE TO  
AMEND THIRD AMENDED COMPLAINT**

**[First Request]**

Pursuant to Rule LR IA 6-1 of the Local Rules of Practice for the United States District Court for the District of Nevada, Chris Weidick moves for the entry of an order granting him a three-week extension to file his response to Stephen Choate's motion (ECF No. 88) for leave to amend his third amended complaint. Weidick's response is currently due on April 15, 2022.

This motion is made and based on the following Declaration of Patrick J. Murch, the following Memorandum of Points and Authorities, and the entire case file.

Dated: April 13, 2021.

CLARK COUNTY SCHOOL DISTRICT  
OFFICE OF THE GENERAL COUNSEL

By: 

Patrick J. Murch (#10162)  
5100 West Sahara Avenue  
Las Vegas, Nevada 89146  
*Attorney for Chris Weidick*

**DECLARATION OF PATRICK J. MURCH IN SUPPORT OF  
CHRIS WEIDICK'S MOTION FOR EXTENSION OF TIME TO  
FILE RESPONSE TO STEPHEN CHOATE'S MOTION [ECF No. 88]  
FOR LEAVE TO AMEND THIRD AMENDED COMPLAINT**

Patrick J. Murch declares as follows:

1. I am employed by the Clark County School District as Assistant General Counsel, and licensed to practice law in the State of Nevada.

2. This declaration, which is made in support of Chris Weidick's motion for an extension of time to file a response to Stephen Choate's motion (ECF No. 88) for leave to amend his third amended complaint, is made of my personal knowledge.

3. Choate filed his motion on April 1, 2022. Weidick's response is currently due on April 15, 2022. This is Weidick's first request for an extension of time to file his response.

4. I am currently conducting a significant investigation into employee misconduct that requires multiple interviews at different locations across the Las Vegas Valley and an exhaustive review of 7 years' worth of school banking records and other documents, and is subject to different deadlines set forth in three collective bargaining agreements.

5. In addition, because of Choate's incessant filings in this case, and because Choate (who is self-represented and still subject to the jurisdiction of the Nevada Department of Corrections) appears to be attempting to resurrect claims that were previously dismissed with prejudice, I have to review the entire case file (almost 90 documents to date) to explain the procedural history and prepare an appropriate response. I have made a good faith attempt to conduct that review, and have begun drafting Weidick's response, but I have not had sufficient time to devote to this matter because of the investigation referenced in the preceding paragraph, and because of the numerous noteworthy School District news matters that have come to light over the past few weeks, most of which I have been directly or tangentially involved in.

6. Based on the foregoing, I believe that good cause exists for the Court to enter an order granting Weidick a three-week extension of time, to May 6, 2022, to file his response to motion for leave to amend third amended complaint.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: April 13, 2022.

  
PATRICK J. MURCH

## **MEMORANDUM OF POINTS AND AUTHORITIES**

### **I. RELEVANT FACTS**

The relevant facts are set forth in the foregoing declaration, and incorporated herein by this reference.

### **II. APPLICABLE LAW AND ARGUMENT**

#### **A. Legal Standard – Motion for Extension of Time.**

“A motion or stipulation to extend time must state the reasons for the extension requested and must inform the court of all previous extensions of the subject deadline the court granted.” LR IA 6-1(a).

#### **B. The Court Should Grant Weidick an Extension of Time to File His Response.**

As previously discussed, Weidick’s counsel is currently conducting a significant employee investigation that is subject to various deadlines set forth in three collective bargaining agreements. He has also been directly or tangentially involved in most of the noteworthy School District news matters that have come to light over the past few weeks. Moreover, because of Choate’s incessant filings in this matter, and because it appears that Choate is attempting to resurrect claims that the Court previously dismissed, Weidick’s counsel has to review the entire case file to explain the procedural history and prepare an appropriate response. Because of the concurrent time commitments discussed above, however, he has not had sufficient time to devote to this matter since Choate filed his motion. Accordingly, good cause exists for the Court to enter an order granting Weidick a three-week extension of time, to May 6, 2022, to file his response to Choate’s motion.



1     **III.     CONCLUSION**

2             Based on the foregoing, the Court should enter an order granting Weidick a three-week  
3     extension of time, up to and including May 6, 2022, to file his response to Choate's motion for  
4     leave to amend his third amended complaint.

5             Dated: April 13, 2022.

6                             CLARK COUNTY SCHOOL DISTRICT  
7                             OFFICE OF THE GENERAL COUNSEL

8             By: \_\_\_\_\_

                           Patrick J. Murch (#10162)  
                           5100 West Sahara Avenue  
                           Las Vegas, Nevada 89146  
                           Attorney for Chris Weidick

11  
12  
13  
14             Good cause appearing therein,  
15             **IT IS SO ORDERED.**

16             DATED: April 15, 2022

17                               
18                             \_\_\_\_\_  
19             DANIEL J. ALBREGTS  
20             UNITED STATES MAGISTRATE JUDGE

**CERTIFICATE OF SERVICE**

I certify that I am an employee of the Clark County School District and, on April 13, 2022, I caused a copy of the foregoing **CHRIS WEIDICK'S MOTION FOR EXTENSION OF TIME TO FILE RESPONSE TO STEPHEN CHOATE'S MOTION [ECF No. 88] FOR LEAVE TO AMEND THIRD AMENDED COMPLAINT** to be served, via U.S. Mail, upon the following:

Stephen Choate  
1138436  
Casa Grande  
3955 West Russell Road  
Las Vegas, Nevada 89118  
*Plaintiff in proper person*

/s/ Elsa C. Peña  
A Clark County School District employee